



# Enforcement Policy

---

Harwich Haven Authority is responsible under the Port Marine Safety Code for the effective enforcement of its regulations. In this Policy, enforcement comprises the promulgation of regulation and guidance, effective surveillance, incident investigation, and where appropriate formal warning and prosecution.

Where appropriate, and where empowered to do so, the Authority will prosecute offenders for committing criminal offences, including those set out in the Harwich Harbour Act 1974 (as amended), the Merchant Shipping Act 1995 and in ancillary regulations and byelaws.

To this end, it is Board policy that the Authority shall:

- maintain through regular reviews, an effective regulatory framework, which is integrated with relevant national legislation and includes local regulation resulting from risk assessment, or as otherwise made necessary;
- ensure that HHA regulations and associated guidance are widely promulgated;
- develop and maintain effective enforcement procedures, which comply with relevant national legal requirements and guidelines;
- develop and maintain effective investigation procedures for use in the event of an incident, which support the Authority's enforcement procedures;
- ensure that all staff involved in an incident investigation, or who are required to follow the Authority's enforcement procedures, receive effective and relevant training;
- maintain an effective surveillance and spot check regime, to monitor compliance with, and detect breaches of, relevant national and HHA regulations;
- respond to breaches of regulation, where justified by the evidence and other circumstances, by the use of formal warnings and legal prosecution; and
- manage the progress of enforcement activities, including incident investigations and prosecutions, and the maintenance of appropriate records.